

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.30915 of 1998

Dated:18.07.2007

Between

1.R.Sudhakar and others.

.....Petitioner

and

1. Indian Immunologicals rep., by
Its Chief Executive (a Unit of
National Dairy Development
Board) Jubilee Hills, Hyderabad
And another.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.30915 of 1998

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in not allowing the benefit of payment of Ex-gratia amount for the year 1996-97 to the petitioners as arbitrary and illegal and consequently direct the respondents to allow the said benefit to them with all consequential benefits.

A detailed counter-affidavit has been filed by the respondents, denying the allegations made by the petitioner. It is asserted that all the petitioners are officials and have retired

under voluntary retirement scheme introduced by the respondent-Company. After their retirement, circular dated 9.10.1997 was issued for payment of Ex-gratia for the officials, those who are on the rolls of the company as on 9.10.1997. But, the petitioners were not on the rolls of the Company as on that date. Therefore, they are not entitled for Ex-gratia.

In view of the averments of the counter-affidavit, nothing survives for adjudication in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

18-07-2007

rkk

